



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 4, 2006
AGENDA DATE: October 11, 2006
PROJECT ADDRESS: 606 Calle Granada (MST2006-00430)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *DJK*
 Brenda Beltz, Planning Technician *BUB*

I. PROJECT DESCRIPTION

The 8,700 square foot project site is located on the corner of Calle Granada and Calle Fresno. Current development on site consists of a 1,260 square foot single family residence, a detached two-car garage, and swimming pool. The property is currently undergoing a major construction/remodel which involves a new second story, front porch, and privacy fence. The discretionary application required for the project is a Modification to permit a new pool enclosure fence to exceed three and one-half feet (3 ½') in height when located within ten feet of a front lot line and within ten feet of a driveway for twenty feet back (SBMC §28.87.170); and for an increase in roof pitch and a new front porch to be located within the required 20 foot front yard setback facing Calle Granada (SBMC §28.15.060).

Date Application Accepted: August 29, 2006 Date Action Required: November 29, 2006

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Wayne LaBrie	Property Owner: Matt and Wendy LaBrie
Parcel Number: 053-083-012	Lot Area: 8,691 s.f.
General Plan: 3 Units per Acre	Zoning: E-3/SD-2
Existing Use: Residential	Topography: 7.5%
Adjacent Land Uses:	
North - Residential	East - Residential
South - Residential	West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,659 s.f.	3,313 s.f.
Garage	370 s.f.	515 s.f.
Accessory Space	0 s.f.	0 s.f.

C. LOT AREA COVERAGE

	Amount	Percentage
Building	2,391 s.f.	28 %
Paving/Driveway	600 s.f.	7 %
Landscaping	5,428 s.f.	65 %
Total Lot Area	8,419 s.f.	100%

III. DISCUSSION

- This project was reviewed by the Architectural Board of Review (ABR) on August 21, 2006 (meeting minutes are attached as Exhibit C). The ABR continued the project to the Staff Hearing Officer with no comments as this proposal consists of a reinstatement of an approved project from 2001 that subsequently expired. The previous comments from the ABR in 2001 (also included in Exhibit C) show that the ABR was in support of the porch and fence modifications. The ABR approved of the fence modification due to the location of existing vegetation in the City right-of-way that would screen the fence, and requested that any damaged juniper plants were to be replaced with mature landscaping immediately.
- This proposal was previously approved by the Planning Division in November 2001 (see Exhibit D) and the building permit subsequently expired. This proposal is identical to the previous approved project with the exception of an additional request to increase the roof pitch of the existing non-conforming portion of the residence located in the setback. The project site is constrained by two front yards and an existing building that encroaches approximately three to six feet into the 20 foot required front yard setback along Calle Granada. The modifications for the new porch and roof pitch increase in the front yard setback can be supported by Staff as the ABR found them to be an aesthetic improvement.
- Staff does not support the modification for the new eight foot high wall and fence to be located along the front property line. The combined height of the five foot fence and three foot retaining wall is eight feet, although due to the topography of the site it will only appear to be five feet from the street. A five foot high fence can be constructed ten feet back from the front property line and still meet the provisions of the Zoning

Ordinance as well as provide adequate security for the existing pool. The project site has over the required 1,250 square feet of open yard area already provided on site, and to increase their open yard by using that portion of the front yard eliminates that space for the enhancement of the neighborhood.

In addition, this property is currently not developed with a sidewalk; however the adjacent property at 612 Calle Granada does have a sidewalk. This neighborhood is identified as a "missing link" in the City's Sidewalk Infill Program and we can expect that sidewalk will be installed at this property in the future. This will result in the elimination of the existing juniper shrubs located in the City right-of-way that currently screen the fence. The existing juniper shrubs were required to be maintained in the City right-of-way by the ABR in order to screen the fence from view, however, in consultation with City Transportation Planning Staff, we have determined that the shrubs present a visibility concern for vehicles when backing out of the driveway. Transportation Planning Staff requires that all vegetation in the City right-of-way be maintained at no higher than three and one-half feet for safety purposes.

It is Staff's position that a modification could be supported that would allow a five foot high fence to be located five feet back from the front property line, and this area can be landscaped with approval of the ABR on the owner's private property and not to rely on the vegetation in the City right-of-way which is a temporary feature of this site. Staff can also support the five foot fence to be located within ten feet of the driveway as the curve of the driveway will allow for adequate visibility once the vegetation is removed.

IV. RECOMMENDATION/FINDING

- Since the site is constrained with two front yards, and the new porch and increase in roof pitch are a visual improvement to an existing non-conforming structure, Staff recommends that the Staff Hearing Officer approve the modifications for the porch and the increase in roof pitch located in the front yard setback, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance; and the Modification is necessary to secure an appropriate improvement on the lot.
- Staff recommends that the Staff Hearing Officer deny the modification for the eight foot high wall and fence along the front property line along Calle Granada because a conforming improvement is possible at the site, it is not necessary to secure an appropriate improvement, and it does not meet the purpose and intent of the ordinance. Alternately, Staff can recommend approval of the fence height modification, if the proposed fence was set back five feet from the front property line, due to the site constraints outlined above, making the findings that the Modification is consistent with the purpose and intent of the ordinance and the modification is necessary to secure an appropriate improvement on the lot.
- Said action is subject to the condition that all vegetation be reduced to three and one half feet in height in the City right-of-way, within ten feet of the front property line and

within ten feet of the driveway for twenty feet back; and that the applicant return to the ABR for approval of the new fence location without the juniper screen.

Exhibits:

- A. Site Plan
- B. Applicant's letter, dated August 28, 2006
- C. ABR/HLC Minutes
- D. Modification Approval Letter dated, November 29, 2001
- E. Letters and a petition in support of the project from neighbors

Contact/Case Planner: Brenda Beltz, Planning Technician
(bbeltz@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805)564-5470

Matt and Wendy LaBrie
606 Calle Granada
Santa Barbara, CA 93105

Phone: (805) ~~657~~-7200

681

August 28, 2006

Modification Hearing Officer
City of Santa Barbara
630 Garden Street
Santa Barbara, CA
93101

RE: 606 Calle Granada APN: 053-083-12 Zoning: E3/SD2

Dear Modification Hearing Officer,

Thank you for considering our request to renew the modifications that were granted for this same project on November 29, 2001. Due to delays encountered after construction was started, the building permit covering this work lapsed. The requested modifications are identical to those previously approved to accommodate a five foot pool fence on the front property line, and replacement and enhancement of the existing front door entry porch, which encroaches into the front yard set back.

A substantial amount of construction work has been completed. Currently the basement excavation with reinforcing steel in place and the pool fence/retaining wall excavation are exposed and we are concerned that we may again experience wet weather which delayed us previously. We were not advised that the building permit had lapsed until requesting a recent Building Department inspection of this work in preparation for placing concrete. The project enjoys strong neighborhood support and was recently granted preliminary approval by the ABR and referred to the consent agenda for final approval. The permit drawings have been updated to reflect changes in energy and structural requirements and are ready for submission pending renewal of the modifications.

EXISTING CONDITIONS: The subject lot is 9180 sq.ft. ranging in depth from 55-62 feet. The property slopes approximately 7 ft from north to south and approximately 6 ft. from east to west. Currently there is an existing 1260 sq.ft. house and 550 sq.ft. pool on the property. The 622 sq.ft. detached garage was removed under a previous permit and approved modification. The lot is a corner lot with double front yard set backs into which the house encroaches on the westerly side 3 to 6 ft. with the existing entry porch extending another 3 ft. into the front yard. The existing swimming pool encroaches into the required front yard 3 to 4 feet, and the pool fence and low retaining wall were located in the front yard a distance of 8.5 to 9.5 feet from the front property line. All the improvements had building permits according to the Building Department files including the pool and fence. This proposal is to reposition and replace the existing fence

with a new 5 ft. pool enclosure fence atop a new retaining wall and to replace the existing entry porch. This is part of an overall project which included removal of the detached garage; remodel of the existing residence; a 1386 sq.ft. addition to the residence; a new 515 sq. ft. attached garage; a 486 sq. ft. basement; restructuring the roof and re-roofing the existing residence; and landscaping and pool area improvements. As indicated above, modifications were previously approved and building permits covering this work were issued. Construction was started and the existing garage and pool fence was removed. A new fence was constructed on the northerly property line and a temporary fence constructed on the west side to maintain privacy and pool safety and to provide working room for construction of the new fence and retaining wall. The temporary portion will be removed upon completion of the permanent fence.

MODIFICATION TO ALLOW 5 FOOT FENCE IN FRONT YARD SET BACK: The modification requested is to allow a 5 foot pool enclosure fence on top of a 3 foot retaining wall to be moved approximately 8 feet west to the front property line. This will place the fence and retaining wall 12 feet back from the face of the curb on Calle Granada. The modification would allow us to bring the pool enclosure into line with current safety requirements while greatly enhancing the usability of the area.

The double front yard set backs, the 5 ft. easement to the north, and a recent lot line adjustment to the east to accommodate the encroachment of the adjacent residence, all work to severely limit the useable yard area. The existing 5 ft. wooden fence, which is located in the front yard, 8 1/2 to 9 1/2 ft. from the property line is in serious disrepair and limits the yard space adjacent to the swimming pool. Currently there is inadequate room for patio furniture and seating space for supervising adults.

Privacy is also an issue. The street level ranges from 3 to 4 feet above the pool deck level and a conforming fence will not provide privacy from the street for the pool and sun bathing area. In addition, the residences across the street to the west are substantially elevated above the street, which further exacerbates the privacy problem and at the same time serves to mitigate the increased 18 inches of fence height from the neighbor's perspective.

BENEFITS: The location of the fence relative to the intersection of Calle Fresno and Calle Granada is approximately 100 feet and should have no effect on vehicular or pedestrian visibility. To the north, the driveway at 612 Calle Granada is 47 feet north of the fence corner, posing no visibility issues for vehicles entering or exiting this adjacent residence. The distance from the fence to the driveway for the subject property will also be in conformity with ordinance requirements. The new five foot enclosure will be in conformity with current safety standards. The increase in useable yard area adjacent to the West End of the pool will greatly improve the usability and safety of the pool. The proposed fence will be approximately 12 feet from the face of curb at the street. This will provide ample area for landscaping in front of the fence.

To further consolidate the useable yard area we are proposing to replace the existing detached garage with a new structure attached to the dwelling and reduce the area required to maneuver automobiles. This will allow better supervision of the swimming pool area. and provide a much

needed play area for our young growing family. By increasing and consolidating our useable yard area in this way, we can maintain landscaping and gardening in our two front yards adjacent to the residence.

MODIFICATION TO ALLOW THE REPLACEMENT OF FRONT ENTRY PORCH: The modification requested is to allow construction of a new 4 ft. x 8 ft. partially enclosed, covered entry porch in the required front yard setback to replace the existing porch. Currently the front of the existing house extends into the required front yard from 3 to 6 ft. with the entry porch extending another 3 feet. The current covered porch looks like an after thought and provides very little protection from the weather and virtually no privacy. It is a very weak design element and totally out of context with the direction we want to take the house. Due to the slope of the property it is not possible to relocate the entry porch outside the front yard without further reducing the useable yard area.

BENEFITS: A functional covered entry is essential. This proposed entry will provide privacy and weather protection; will help shield neighboring properties from entrance lighting; and would improve the first impressions and experience of entering the house. As you will note on the proposed house remodel plans, the proposed entry is harmonious with and integrated into the design of the house. This will add to the value of the residence and help to maintain the character and quality of our neighborhood.

MODIFICATION TO ALLOW RESTRUCTURING THE RESIDENCE ROOF IN THE FRONT YARD SETBACK: The modification requested is to allow reconstruction of that portion of the residence roof located in the front yard setback. The existing roof is at a 6 in 12 pitch. The proposed restructured roof is at a 8 in 12 pitch. This will result in a roof that is approximately 12 inches higher than the existing roof at a point 20 feet from the westerly property line.

BENEFITS: Restructuring the roof at the steeper roof pitch will allow the first and second story roof planes to continue uninterrupted over the main living space and will present a more cohesive design. This is essential to the success of the design and has received positive comments from the Architectural Board of review.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Labrie', with a large, stylized loop at the end.

Wayne Labrie Architect, agent for Matt & Wendy LaBrie

ABR meeting 8/21/06

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS AND STAFF HEARING OFFICER APPROVAL FOR MODIFICATIONS.)

(7:46)

Present: Wayne Labrie, Architect.

Motion: Preliminary approval, and continued indefinitely to the Consent Calendar, with the applicant to provide a color board.

Action: LeCron/Manson-Hing 7/0/0. Mudge abstained.

Motion: To rescind the previous motion.

Action: LeCron/Wienke 7/0/0. Mudge abstained.

Amended

Motion: Continued indefinitely to the Staff Hearing Officer, and return to Consent for Preliminary Approval with the following comments: 1) NPO findings can be made at Consent. 2) Applicant shall provide a color and material board when the project returns.

Action: LeCron/Manson-Hing, 7/0/0. Mudge abstained.

ABR meeting 11/12/01

(COMMENTS ONLY PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, NEIGHBORHOOD PRESERVATION ORDINANCE COMPLIANCE, AND A MODIFICATION.)

(6:19)

Present: Wayne Labrie, Architect, and Matthew Labrie, owner, present.

Staff Comments: Susan McLaughlin, Planning Technician I, stated that a three and a half foot fence would not require a permit. A five foot fence on the property line or within ten feet of the lot line requires a modification.

Motion: Indefinite continuance to the Modification Hearing Officer with the following comments: 1) The Board understands the applicant's approach of creating a private yard on the corner lot and finds the front yard setback acceptable. 2) Further the front yard setback has no adverse visual impacts because of the existing vegetation. 3) The encroachment of the front porch into the setback is visually acceptable being an aesthetic improvement. 4) Study a more sophisticated design for the main entry or consider the use of sandstone. 5) The applicant has to return to the ABR prior to the Modification Hearing, if he expands the porch more than 18 inches. 6) Specify the walkway from the sidewalk to the front porch on the plans. 7) Enhance the deck railing by providing some openings in the solid wall. 8) Restudy the chimney to be more special in its design and enhance the chimney cap. 9) Indicate the accurate locations of the existing junipers and the footprints of neighboring residence to the east on the plans. 10) Damaged Junipers are to be replaced with mature landscaping immediately.

Action: Gradin/Eichelberger, 8/0/0.

CITY OF SANTA BARBARA

COMMUNITY DEVELOPMENT DEPT.

Planning Division 564-5470
Housing & Redevelopment Division 564-5461
Building & Safety Division 564-5485
Director's Office 564-5502
Fax Number 564-5477



630 GARDEN STREET
POST OFFICE BOX 1990
SANTA BARBARA, CA 93102-1990

November 29, 2001

Mr. and Mrs. Matthew Labrie
606 Calle Granada
Santa Barbara, CA 93105

SUBJECT: 606 Calle Granada; APN 053-083-012; E-3 One Zone

Dear Mr. and Mrs. Labrie:

At a public hearing held on November 28, 2001, the Modification Hearing Officer approved your request for a modification to permit a new pool enclosure fence to exceed three and one-half feet (3 1/2') in height when located within ten feet of a front lot line and for a new entry porch to be located within the required twenty-foot (20') front yard setback facing Calle Granada.

This action is subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show:

1. The eave on the entry porch observing a minimum nine-feet (9') front yard setback;
2. The retaining wall/fence not exceeding a combined height of eight-feet (8') at any point;
3. A complete floor plan of the basement storage area; and,
4. Removal of the "office" term from the floor plans.

In taking this action, the Hearing Officer made the findings required by Municipal Code Section 28.92.026, that is, that the modification is necessary to secure an appropriate improvement on the property and is consistent with the intent and purpose of the Zoning Ordinance.

This decision may be appealed to the Planning Commission by filing an appeal with the Planning Division at 630 Garden Street no later than 4:30 p.m. on December 10, 2001. If not appealed within that time, the action is final.

Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit. **PLEASE**

NOTE: A copy of this modification letter shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.



Rick & Shelley Fogg
3080 Calle Fresno
Santa Barbara, California 93105
(805) 637-1136

RECEIVED
AUG 17 2006
CITY OF SANTA BARBARA
PLANNING DIVISION

August 16, 2006

Modification Hearing Officer
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

RE: 606 Calle Granada APN: 053-083-12

Dear Sir or Madam:

I write in support of the application for buildings permits on file for the above-referenced property owned by our neighbors Matt and Wendy LaBrie. Our home is immediately next door to the LaBrie's on Calle Fresno. We are very familiar with their plans, including the fact that the front porch and pool fence features require modifications.

Shelley and I are very much in favor of the proposed remodeling of the LaBrie's home and the porch and fence aspects. Their remodel will substantially increase property values in the neighborhood and will be completely consistent with existing homes in the area. We urge you to approve the modifications so that the LaBrie's can complete their project as soon as possible.

Please feel free to contact me if you have any questions.

Thank you.

Very Truly Yours,



Rick Fogg

cc: Matt & Wendy LaBrie

EXHIBIT E

RECEIVED

AUG 30 2006

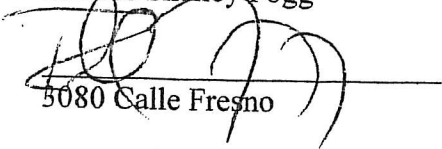
CITY OF SANTA BARBARA
PLANNING DIVISION

August, 2006

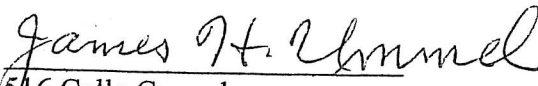
Dear Sir,

With reference to your recent notice regarding Matt and Wendy LaBrie's proposed project at 606 Calle Granada, I have reviewed the plans and discussed the project with Matt and Wendy, our neighbors. I understand this project to be the same as the one that was previously approved, permitted, and on which construction was started. I understand that the 8' wall referred to in the notice is really a 5' wooden pool safety fence on top of a 3' retaining wall below street level. I understand that the new front entry porch will replace the existing porch and is only minimally larger than the existing. I have no objections to the requested modifications or the scope of their project. I support their project completely and appreciate the improvement to our neighborhood.

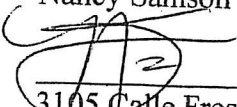
Rick & Shelley Fogg


5080 Calle Fresno

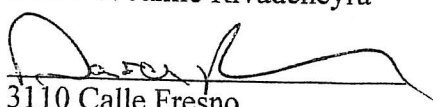
Jim Ummel


516 Calle Granada

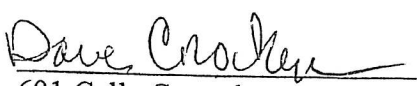
Nancy Samson


3105 Calle Fresno

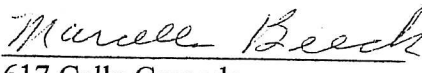
Daren & Jamie Rivadeneyra


3110 Calle Fresno

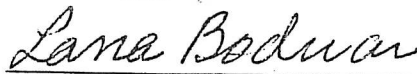
David & Lucille Crocker


601 Calle Granada

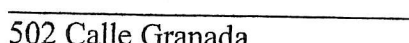
Roy & Marcella Beek


617 Calle Granada

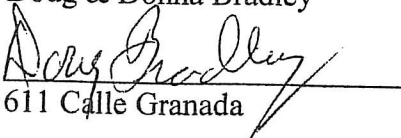
Lana Bodnar

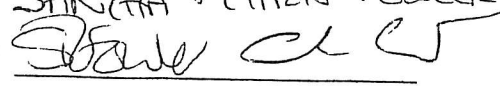

612 Calle Granada

Ann Zafiratos


502 Calle Granada

Doug & Donna Bradley


611 Calle Granada

SANCTIA + CHRIS FOWLER

618 Calle Granada